

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

CV-16-474-PHX-DGC

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**MASTER SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS**

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.____).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Sherr-Una Booker

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
consortium claim:

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
the time of implant:

New York

1 5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
2 the time of injury:

3 Georgia

4 6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

5 Georgia

6 7. District Court and Division in which venue would be proper absent direct filing:

7 Northern District of Georgia, Atlanta Division

8 8. Defendants (check Defendants against whom Complaint is made):

9 ☒ C.R. Bard Inc.

10 ☒ Bard Peripheral Vascular, Inc.

11 9. Basis of Jurisdiction:

12 ☒ Diversity of Citizenship

13 ☐ Other: _____

14 a. Other allegations of jurisdiction and venue not expressed in Master
15 Complaint:

16 _____

17 _____

18 _____

19 10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a
20 claim (Check applicable Inferior Vena Cava Filter(s)):

21 ☐ Recovery[®] Vena Cava Filter

22 ☒ G2[®] Vena Cava Filter

€ G2[®] Express (G2[®]X) Vena Cava Filter

€ Eclipse[®] Vena Cava Filter

€ Meridian[®] Vena Cava Filter

€ Denali[®] Vena Cava Filter

€ Other: _____

11. Date of Implantation as to each product:

6/21/2007

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

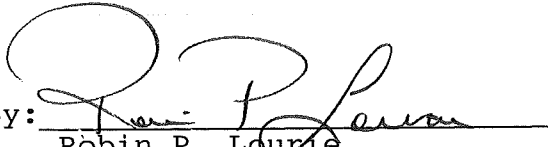
☒ Count XII: Fraudulent Misrepresentation

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- ☐ Count XIII: Fraudulent Concealment
- ☐ Count XIV: Violations of Applicable _____ (insert state)
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
Practices
- ☐ Count XV: Loss of Consortium
- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- ☒ Punitive Damages
- ☐ Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

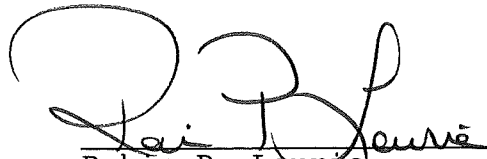
1 RESPECTFULLY SUBMITTED this 19th day of February, 2016.

2 WATKINS, LOURIE, ROLL & CHANCE, PC

3
4 By: 
Robin P. Lourie
3348 Peachtree Road, NE
Suite 1050, Tower Place 200
Atlanta, GA 30326
(404) 760-7400 - P
(404) 760-7409 - F

7 ATTORNEYS FOR PLAINTIFFS

9 I hereby certify that on this 19th day of February, 2016,
10 I mailed the attached document to the Clerk's Office for
11 filing.

12 
13 Robin P. Lourie